

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FRANCISCO JAVIER ESTRADA,

Petitioner,

v.

WARDEN HOLINKA,

Respondent.

ORDER

10-cv-465-bbc

Judgment was entered in this case on September 29, 2010 in favor of respondent, dismissing petitioner Francisco Estrada's petition for a writ of habeas corpus. On October 5, 2010, petitioner filed a notice of appeal that I construed as a request to proceed in forma pauperis on appeal. I could not determine the amount of his initial partial payment of his filing fee for his appeal because he had not submitted a trust fund statement. Therefore, on October 6, 2010, I issued an order giving petitioner until October 20, 2010, in which to submit a certified copy of his trust fund account statement for the six-month period from approximately April 5, 2010 to approximately October 5, 2010. Because petitioner has failed to submit the required trust account statement or show cause for his failure to do so, I will deny his request for leave to proceed in forma pauperis on the ground that he has failed

to show that he is entitled to indigent status on appeal.

ORDER

IT IS ORDERED that petitioner Francisco Estrada's's request to proceed in forma pauperis on appeal, dkt. #7, is DENIED. Further, IT IS ORDERED that the clerk of court insure that plaintiff's obligation to pay the \$455 filing fee for the appeal is reflected in this court's financial records.

Entered this 2d day of November, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge